
SUBSTITUTE HOUSE BILL 2083

State of Washington 58th Legislature 2003 Regular Session

By House Committee on Health Care (originally sponsored by Representatives Cody, Benson and Darneille)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to hospital emergency services; and adding a new
2 section to chapter 70.41 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 70.41 RCW
5 to read as follows:

6 (1) A hospital shall provide emergency services twenty-four hours
7 per day, seven days per week in a designated area of the hospital. A
8 hospital shall meet all the requirements for emergency facilities that
9 are established by the department and shall provide emergency services
10 in a manner that meets the requirements established by federal law for
11 the medical screening and stabilization of patients, including women in
12 active labor, who present to the hospital for emergency services.

13 (2) A hospital providing emergency services under this section
14 shall have, at a minimum, the following:

15 (a) A physician who is qualified to provide emergency services
16 immediately available in the hospital;

17 (b) A roster of on-call medical staff members; and

18 (c) Procedures to stabilize a patient until the patient is
19 transported or transferred to another hospital if emergency services

1 cannot be provided at the hospital to meet the needs of the patient in
2 an emergency. A specialty hospital providing emergency services under
3 this section shall maintain a transfer agreement with a general
4 hospital that establishes the process for patient transfers in a
5 situation in which the specialty hospital cannot provide continuing
6 care for a patient because of the specialty hospital's scope of
7 services.

8 (3) This section does not apply to:

9 (a) A specialty hospital that provides only psychiatric or
10 rehabilitative services;

11 (b) A hospital that was licensed under chapter 70.41 RCW prior to
12 January 1, 2003; or

13 (c) A hospital designated as a critical access hospital under the
14 provisions of Part A Title XVIII of the Social Security Act Section
15 1820, 42 U.S.C., 1395i-4.

16 (4) For the purposes of this section:

17 (a) "Emergency services" means health care services medically
18 necessary to evaluate and treat a medical condition that manifests
19 itself by the acute onset of a symptom or symptoms, including severe
20 pain, that would lead a prudent layperson acting reasonably to believe
21 that a health condition exists that requires immediate medical
22 attention, and that the absence of immediate medical attention could
23 reasonably be expected to result in serious impairment to bodily
24 functions or serious dysfunction of a bodily organ or part, or would
25 place the person's health (or in the case of a pregnant woman, the
26 health of the woman or her unborn child) in serious jeopardy;

27 (b) "General hospital" means a hospital that provides general acute
28 care services, including emergency services;

29 (c) "Specialty hospital" means a subclass of hospital that either
30 provides hospital services within a specific branch of medicine or
31 limits admission according to age, sex, type of disease, or medical
32 condition;

33 (d) "Transfer agreement" means a written agreement providing an
34 effective process for the transfer of a patient requiring emergency
35 services to a general hospital providing emergency services and for
36 continuity of care for that patient.

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